

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, August 24, 2016 Room 133 7:00 p.m.

APPROVED MINUTES

1. **Convene Meeting:** Chair Nelson Malwitz convened the meeting at 7:05 PM, with the following in attendance:

WPCA:

Nelson Malwitz, Chair
L. Trojanowski-Marconi
T.E. Lopez
P. Kurtz (*arrived at 7:15 PM*)
M. Brown

Others:

W. Charles Utschig, Langan (Engineer)
Jeff Sienkiewicz, Attorney
D. Will, Inspector
Kristi McPadden, Executive Administrator
Mary Ongaro, WPCA Collector
Emily Cole Prescott, Recording Secretary

2. **Approval of Minutes – 7/27/16 – T.E. Lopez made a motion to approve the minutes of the July 27, 2016 meeting. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**

3. **Correspondence**

- a. Email dated 8/19/16 from Kathy Phillips Re: High Meadow 9 Pondview Road Deferral Request – *Kathy Phillips of 9 Pond View Road, and Sara Doutney, 26 Erikson Road in New Milford, CT were both present for discussion of this matter.* Chair Malwitz reviewed the correspondence received, regarding this matter. Chair Malwitz mentioned that he knows both the owner and her daughter, so he recused himself from this matter, passing the role of Chair to Vice Chair Trojanowski-Marconi. Ms. Phillips gave an overview of her financial situation, and explained that the reason this request is late is due to the fact that she thought her circumstances would be changing, but they have not. She is unable to pay the amount due for the benefit assessment payment, and is behind on both the payments of benefit assessment as well as the use charge. Ms. Doutney further explained some of her mother's financial situation, and history of the matter, which included brief overview of her mother's current medical situation. Ms. Doutney asked if there is any other type of option to pay perhaps \$20 per month, although she is aware of the fact that this would not be enough to make a significant impact on the amount due. It was noted that there are three names on the current deed, due to the requirement for three people to remain on the bank note. The Assessor has issued a town tax benefit to the property, calculating the amount of the benefit as 1/3 of the property taxes, due to the fact that the other two owners – Ms. Doutney and her husband – are not applying for the deferral. Kathy Phillips currently has life use of the property, which had been changed in 2006, when the property had been re-financed. Atty. Sienkiewicz noted that the applicant does not currently qualify for the WPCA deferral as currently written in the WPCA Rules and Regulations because 1.) the current property owner has delinquent use and assessment fees; 2.) the policy as written considers the owner as either single or married, but does not consider joint ownership with occupant's children. Atty. Sienkiewicz explained that if the WPCA were to address this matter with the currently written policy, it would be going outside of the policy, and perhaps create a precedent. Ms. Doutney stated that she is personally able to make a payment toward the use charge to bring current. Further detail of payments relative to the property were briefly discussed, such as the water assessment, and it was mentioned that there is perhaps not much equity remaining in the property. K. McPadden mentioned that under the current WPCA policy, the applicant/owner would be required to re-apply for the WPCA deferral on an annual basis. **Acting Chair Trojanowski-Marconi made a motion to table discussion to the next meeting and to request that Atty. Sienkiewicz draft a proposed policy to comply with the request. T.E. Lopez seconded the motion, and it carried unanimously.** *At the conclusion of the vote of the motion, Nelson Malwitz re-assumed the position of Chairman, and Acting Chair Trojanowski-Marconi resumed her position as Vice Chair.*
- b. Extension Request #2 dated 7/31/16 from Longo & Associates – Chair Malwitz stated that Longo is requesting a second extension of the current deadline. *This item will be discussed later during the meeting.*

4. **New Business:** None.

5. **Old Business**

- a. 160 Whisconier Road – Application to Connect – *K. Arifian and L. Ruschmeyer were present, on behalf of the Congregational Church.* This application is to connect the Church building to the sewer line, removing it from the current septic system. *The approval motion was made below, during discussion of agenda item 5.b.*
- b. 160 Whisconier Road – Grease Trap Waiver Request – A recommendation of approval of the waiver has been made by the engineers. D. Will had recommended that the approval be conditional, requiring the Church to install a grease trap upon constructing an addition to the building. D. Will also mentioned that if there is an issue with grease, the issue would be on the Church's end to repair, as it would cause damage the pumps on their end before entering the WPCA line. The Church Committee indicated that food is prepared outside and brought to the Church; food is not prepared at the Church. Atty. Sienkiewicz reviewed the CT Public Health Code regarding commercial food service establishments, class 1, 2, 3, and 4. Mr. Utschig replied that this use does not qualify as a commercial food service establishment, as the use is not commercial. Atty. Sienkiewicz suggested that the permit should include a condition of the grease trap waiver, indicating that there will be no prepared food on site. **T.E. Lopez moved that the WPCA approve the application as recommended by Langan's letter, and also to approve the waiver recommendation of the grease trap requirement, with the condition that there will be no food preparation on the premises. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**
- c. Rollingwood Project Update/Extension Ownership – It was noted by the Town that because most of the gravity sewer line will be owned by Rollingwood Association's, that the BAN will need to be taxable. By creating an easement on Rollingwood, the line will now be owned by the WPCA.
- d. Brooks Quarry Project Update – D. Will noted that by this afternoon, the wet well/pump station installation/assembly had started. The change order had been submitted to CHFA. There are now new forms which need to be completed and will be re-filed with CHFA tomorrow. Approval of the change order will likely be granted next week. The change order did not require any additional funding. D. Will mentioned that someone from the State had checked on the pump station, noting that the location of the pump station it is too close to the well, but that he has not heard anything again from the State regarding this matter. Mr. Utschig stated that Langan will look into this matter. Atty. Sienkiewicz stated that he will need to file an easement map, and will need relevant property information to draft the documents.

6. **Accountant Report**

- a. Monthly Financials – M. Allred is on vacation, but Chair Malwitz noted that the Authority had been sent the financial information through the month of July. T.E. Lopez questioned a charge of \$3,500 relative to employee costs, and K. McPadden replied that she will review the details of this amount with M. Allred and get the information to T.E. Lopez.
- b. Year End Update & Audit Activity – M. Allred will be meeting with former WPCA Accountant, S. Welwood at the end of August to review the fiscal year end financials. K. McPadden noted that she and M. Ongaro have sent everything requested to the auditors, relative to the 15/16 FY.

7. **Employee Activity Reports (Roger, Dave, Kristi, Mary):**

D. Will presented his report:

- Eversource – D. Will noted that he will have documentation to Atty. Sienkiewicz regarding this matter by the end of this week.
- All grease traps are in compliance at this time.
- Longo is asking for a 90-day extension. R. Prinz suggests a 60-day extension.
- 533 Federal Road – The project is complete. The paperwork now needs to be finished.
- 540 Federal Road – There has been no progress this month.

- Four Corners Project – The demolition has started. 7 Station Road was disconnected and has been removed.
- Brooks Quarry Project – The structure has been installed as of yesterday and Kovacs Construction, the subcontractor for Rondano Construction, is assembling the pump station.
- Surveys – D. Will has several outstanding surveys that he is aware of.
- There was another minor clog at the Raymour & Flanigan building. D. Will is working with Pempbroke Pumping to locate the cause.
- Brush clearing of the easements will commence with A to Z this month. K. McPadden requested that she be informed before clearing commences on Greenknoll Drive and the YMCA so the WPCA has time to send out notices.

K. McPadden presented her report:

- A. Prinz has completed the scanning, as well as completing a spreadsheet of the Candlewood Shores, Arrowhead Point and Pleasant Rise septic files. K. McPadden noted that A. Prinz had done a very good job on this work, and her work has now enhanced the WPCA's GIS system. D. Will noted how much more effective the system will be in answering "Call Before You Dig" requests.
- Paychex Time & attendance program is in process - K. McPadden got the initial training today, and once she is comfortable with it, she will train all employees.

M. Ongaro presented her report, and briefly reviewed collections and other WPCA office matters.

8. Engineer Comments/Project Update

a. Capital Projects:

- 777A Federal Road PS Improvements,
- North PS Improvements
- Railroad PS Improvements – Mr. Utschig noted that the contractor has requested a ninety-day extension, and the engineer's and manager's recommendation is to issue a sixty-day extension. The basis for an extension from the contractor's perspective is the long lead time on the ordering of some items. Atty. Sienkiewicz asked if there are further change orders, and Mr. Utschig noted that the change orders submitted have been approved, and there should not be any change orders disputed. Mr. Utschig noted that at this point, there is no indication that there will be additional change orders. Mr. Utschig explained that the contractor does need sixty days to complete the work, but it should be very clear that the work needs to be completed by the sixty-day time period. The current deadline is September 19th. **T.E. Lopez made a motion to approve the requested extension for a period of sixty days, to November 18th with the explanation that 1.) there was no justification given for the request; and 2.) the Authority expects the system to be operational by the new completion date and that if it is not operational, the Authority will pursue liquidated damages. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**

b. High Meadow High Solids Concentration – Solution alternates – A small mixer may be needed due to the characteristic of the flows. A meeting will be scheduled with R. Prinz when he is available.

c. Inflow and Infiltration (I&I) Study – Next step – Mr. Utschig reviewed the next step of the I&I study. Information from the flow monitoring equipment has been graphed, with rainfalls superimposed on the graph. He explained the graph in further detail, and the goal is to correlate rain flow events with the peak infiltration rates. A consistent correlation which had been expected has not yet been seen. There is typically some delay that also occurs, and there are some fairly unusual differentials. This documentation will be done for every pump station. The goal is to identify the areas where flow due to rainfall events is evident. Peak flows for each month have been totaled, considering the average peak flow per day. The total differential is 208,433 gallons. The next review is to determine what is paid by Brookfield to Danbury per gallon, to ensure fixing these issues is warranted. The next steps will include fine-tuning the available information, in effort to determine the location of additional meter installation in the

Spring of 2017. This work had been budgeted, and there is a quote in place for this ongoing engineering work.

- d. Private Pump Station Run Time Data Logging – Mr. Utschig stated that Chair Malwitz had asked for some research on methods to monitor the flows from the private pump stations in town. Langan is working to create a simplified method to complete this monitoring. Chair Malwitz noted that he has concerns that the WPCA currently has no method of checking infiltration in some of the residential areas, and this is the reason for his asking for Langan to pursue this matter.
- e. GIS Sewer Modeling/Scanning Update/Forms (Manhole, Pump Station, Grit & Grease Trap) – Mr. Utschig reported that the system is live, all as-built plans and reports loaded. R. Prinz and D. Will have access to the reports on the GIS viewer. Mr. Utschig noted that Langan has been asked to compile printed reports and inspection summary sheets, which Langan is now preparing in a tabular form. All files need to have a new manhole number as needed. Langan has the new numbering, and will review it with K. McPadden. This information could be used as a design tool for potential future sewer. Chair Malwitz noted that the WPCA needs to schedule a meeting with the Town to review some of these details.
- f. Community Sewer System/PMA Study – Mr. Utschig has given Chair Malwitz a draft of this today as a method to calculate the reserve funds. The next step is to send the document to Atty. Sienkiewicz for his legal review.
- g. Clean Water Funds Application – Mr. Utschig noted that Langan has a meeting scheduled on Friday at the DEEP to discuss Clean Water funds. Chair Malwitz explained that WPCAs around the State had been asked about the remaining funds for projects. Chair Malwitz stated that to complete a study, the WPCA would be eligible for a grant that would potentially pay up to 55% of the cost of such study. There had been an initial Candlewood Shores study done in 1973 with borings and other information, and the engineering firm that had done the work is looking for additional plans to send to Langan for their review. K. McPadden mentioned that the scanning project had “un-earthed” some history.
- h. Water Pollution Facilities Plan Update – *This item was briefly discussed above, as part of agenda item 8.g.*
- i. Other Engineering Matters – None.

9. Legal Matters

- a. Eversource Claim – Atty. Sienkiewicz explained that the information has been received by Eversource, but the decision to settle seems as though it cannot be made. T.E. Lopez asked how the same process may be avoided in the future. Chair Malwitz asked for the Eversource office location. Eversource has now been sent all of the documentation. The amount of the claim is approximately \$13,000. This claim is based on improper supply of power. A claim has also been submitted to CIRMA, and K. McPadden requested that D. Will send her a copy for the file.
- b. Other Legal Matters – Pending legal matters include the permanent maintenance agreements, and easements. Chair Malwitz mentioned that the WPCA will invite First Selectman Steve Dunn to the October WPCA meeting to discuss his request for the WPCA to start paying rent.

10. Other WPCA Business

- a. Use Charge Study Sub-Committee Update – T. E. Lopez noted that this matter is ongoing, and another meeting is scheduled next week.
- b. Other WPCA Matters
 - i. Danbury Plant Presentation Aug 3 – Chair Malwitz gave a brief overview of the progress report: “Progress Report to Stakeholders” by the City of Danbury Water Pollution Control Plant Nutrient Reduction Facilities Plan (prepared by Black & Veatch), dated August 3, 2016. Chair Malwitz noted several highlights of the report.
 - ii. Candlewood Lake Update – 1970’s borings & design; Septic survey – There was discussion about this matter. Atty. Sienkiewicz inquired as to 90% of the flow, indicating that the

WPCA would at that point be required to consider planning for additional capacity. He asked that this question be asked to Danbury.

11. **Vouchers**: The Authority reviewed the vouchers. **L. Trojanowski-Marconi made a motion to approve the vouchers as presented. T.E. Lopez seconded the motion, and it carried unanimously.**
12. **Adjournment**: **At 9:17 PM, L. Trojanowski-Marconi made a motion to adjourn the meeting. M. Brown seconded the motion, and it carried unanimously.**

*** Next meeting September 28, 2016 ***